

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CRIMINAL MINUTES – JURY TRIAL
Day 4

Case No.: 4:18CR00011

Date: 10/10/2019

Defendant:

4:18-cr-00011-MFU-RSB-1 Marcus Jay Davis
4:18-cr-00011-MFU-RSB-2 Kevin Lamont Trent, Jr.
4:18-cr-00011-MFU-RSB-3 Kanas Lamont'e Trent
4:18-cr-00011-MFU-RSB-4 Deshaun Lamar Trent
4:18-cr-00011-MFU-RSB-5 Phillip Daekwon Miles
4:18-cr-00011-MFU-RSB-6 Shabba Larun Chandler
4:18-cr-00011-MFU-RSB-8 Ashley Tiana Ross
(bond)
4:18-cr-00011-MFU-RSB-10 Tenikqua Fuller (bond)

Counsel:

Tony Anderson, Bev Davis
Aaron Cook, Jimmy Turk
Bonnie Lepold, Mike Hemenway
Chris Kowalcuk, Patrick Kenney
Tyson Daniel, Cary Bowen
Aaron Houchens, Jeff Dorsey
Terry Grimes
Corey Diviney

PRESENT: JUDGE: Michael F. Urbanski, CUSDJ
TIME IN COURT: 9:30-12:05; 12:29-2:16; 2:36-4:07; 5:07-5:23 6h 9m
Deputy Clerk: Kristin Ayersman
Court Reporter: Judy Webb
U. S. Attorney: Heather Carlton, Ron Huber, Michael Newman
USPO: Kim Falatic
Case Agent: Devin Taylor, FBI TFO Pittsylvania County
Interpreter: none

LIST OF WITNESSES

GOVERNMENT	DEFENDANT
1.	1.

PROCEEDINGS:

Panel 5 – Collective voir dire. Recess 12:05 Reconvene 12:29 Individual voir dire. Recess 2:16 Reconvene 2:36 Individual voir dire continued. Recess 4:07 Reconvene 5:07 Court addresses issue with counsel jurors. Court will suspend jury deliberations today re Panel 5, excuses remaining panel from further jury service in this case. Additionally, court excuses the entirety of

Panel 5, no objection. As to jurors TUA - #5 from Panel 1: CP, #16 from Panel 1: CP, all prior objections noted. #1 from Panel 4: CP for hardship, #6 from Panel 4: CP. #17 from Panel 3: CP. Court to enter order today dealing with pending motions 831, 867 – gidi; Court has reviewed video tape, denies motions for continuance, order to be entered. Court asks US where Anthony chart is - unknown. Court directs US to contact Caswell County in search of document and report back to court. Court addresses parties – 10/11/19 will be Panel 6, 10/14/19 will be Panel 2. Four panels are completed (1,3,4,5) and should be notified. Final panel selection will be done Tuesday, 10/15/19 – opening statements thereafter. Court will collect all jury lists/panels after selection completed for shredding. Recess 5:23

Panel 5 struck in its entirety.

struck jurors struck by Government.

struck jurors struck by Defendant.

jurors sworn member jury impaneled and sworn. Remaining jurors discharged.

Preliminary remarks and instructions to jury by Court.

United States of America or Defendant makes oral Motion to Exclude Witnesses from Courtroom. Court grants motion.

Opening Statements by counsel.

Government presents evidence.

Government rests.

Defendant makes Motion for Judgment of Acquittal.

Court grants denies takes under advisement.

Defendant presents evidence.

Defendant rests.

Defendant renews Motion for Judgment of Acquittal.

Court grants denies takes under advisement.

Rebuttal evidence.

Surrebuttal evidence.

Closing Arguments.

Jury Instructions given to Jury.

Objections to Jury Instructions by U.S.A and/or Defendant.

Court overrules grants.

Jury retires to deliberate at Time retired.

Jury returns at Time returned.

Jury Verdict: Verdict?

Jury polled.

Polling waived.

Mistrial declared.

Jury discharged.

Motions after verdict:

Sentencing set for _____.

Sentencing to be set by Clerk.

Court orders Presentence Report.

Defendant remanded to custody.

Defendant to remain on bond.

Additional Information:

Court addresses parties, nothing to address prior to jury coming down. Court notes Mr. Houchens filed a brief, will review. Court asks parties to think about remaining panels and how many more to voir dire.